

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No. 00-6361-CR-DIMITROULEAS

UNITED STATES OF AMERICA )  
 )  
 )  
 v. )  
 )  
 )  
 AQUILINO DIMITRI ALONSO, )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

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**GOVERNMENT'S RESPONSE TO STANDING DISCOVERY ORDER**

The United States of America hereby files this response to the Standing Discovery Order issued in this case. This response is numbered to correspond to that Order.

- A. 1. There are no written statements or taped confessions made by any of the defendants. Numerous conversations were recorded during this investigation. The recordings obtained during the investigation are contained on 27 audiotapes and 32 videotapes. A copy of all of the audiotapes and videotapes have been forwarded to Scott Sakin, Esquire. Copies of these recordings can be obtained from Mr. Sakin by contacting him at (305) 545-0007 or visiting his office located at 1411 NW North River Drive, Miami, Florida 33010.
2. There is an oral statement made by the defendant Felix Ugarte, before or after arrest, in response to interrogation by a person then known to the defendant to be a government agent, which the government will offer in evidence at trial, other than a personal history taken at the time of arrest. Said statement was produced with the attached letter.
3. None of the defendants testified before a grand jury.
4. The criminal records of the defendant are contained within the government's production of bates stamped documents of 1-739 that is available for copying by the defense at Lanier Professional Services as explained in the attached letter.

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5. Books, papers, documents, etc., which the government intends to use as evidence at trial to prove its case in chief, or which were obtained from or belong to the defendant, may be inspected by making an appointment with undersigned counsel. Such items include, but are not limited to, the bate stamped documents of 1-739 that is available for copying by the defense at Lanier Professional Services as explained in the attached letter.
  6. There were no physical or mental examinations or scientific tests or experiments made in connection with this case.
- B. The United States requests the disclosure and production of materials enumerated as items 1, 2 and 3 of Section B of the Standing Discovery Order. This request is also made to pursuant to Rule 16(b) of the **Federal Rules of Criminal Procedure**.
- C. The government is aware of information or material which may be favorable on the issues of guilt or punishment within the scope of Brady. See the statement of defendant Aquilino Dimitri Alonso on December 3, 1999 which is contained within the bate stamped documents of 1-739 that is available for copying by the defense at Lanier Professional Services as explained in the attached letter.
- D. The government will disclose any payments, promises of immunity, leniency, preferential treatment, or other inducements made to prospective government witnesses, within the scope of Giglio v. United States, 405 U.S. 150 (1972), or Napue v. Illinois, 360 U.S. 264 (1959).
- E. The government is unaware of any prior convictions of the informant who may testify for the government at trial.
- F. Some of the defendants were identified in a lineup, show-up, photo spread, or similar identification proceeding which are contained within the bate stamped documents of 1-739 that is available for copying by the defense at Lanier Professional Services as explained in the attached letter.
- G. The government has advised its agents and officers involved in this case to preserve all rough notes.
- H. The government will advise the defendants prior to trial of its intent, if any, to introduce during its case in chief proof of evidence pursuant

to F.R.E. 404(b). You are hereby on notice that all evidence made available to you for inspection, as well as all statements disclosed herein or in any future discovery letter, may be offered in the trial of this cause, under F.R.E. 404(b) or otherwise.

- I. The defendants are not aggrieved persons, as defined in Title 18, United States Code, Section 2510(11), of any electronic surveillance.
- J. The government has ordered transcribed the Grand Jury Testimony of all witnesses who will testify for the government at the trial of this cause.
- K. Controlled substances were not involved in this investigation.
- L. The government does not know of any automobile, vessel, or aircraft allegedly used in the commission of this offense that remains in police custody.
- M. The government is presently unaware of latent fingerprints or palm prints which have been identified by a government expert as those of the defendant.

The government is aware of its continuing duty to disclose such newly discovered additional information required by the Standing Discovery Order, Rule 16(c) of the **Federal Rules of Criminal Procedure**, Brady, Giglio, Napue, and the obligation to assure a fair trial.

In addition to the request made above by the government pursuant to both Section B of the Standing Discovery Order and Rule (16)b of the **Federal Rules of Criminal Procedure**, in accordance with Rule 12.1 of the **Federal Rules of Criminal Procedure**, the government hereby demands Notice of Alibi defense; the approximate time, date, and place of the offense were:

- 1. Date: Starting at approximately on November 17, 1999 through November 18, 1999; November 19 and 26, 1999.
- Place: National Electronics located at 11451 NW 36 Avenue in Miami; and 2211 SW 59 Avenue in Hollywood, Florida.

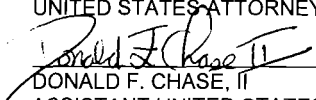
The attachments to this response are numbered pages 1 through 739 that is available for copying by the defense at Lanier Professional Services as explained in the attached letter. Please contact the undersigned Assistant United States Attorney if any

pages are missing.

Respectfully submitted,


GUY A. LEWIS  
UNITED STATES ATTORNEY

By:

  
DONALD F. CHASE, II  
ASSISTANT UNITED STATES ATTORNEY  
Court Number A5500077  
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Fort Lauderdale, Florida 33301  
Tel. (954) 356-7255  
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed this  
5th day of March 2001 to Howard J. Schumacher, Esquire, 1 East Broward Boulevard,  
Fort Lauderdale, Florida 33301.

  
DONALD F. CHASE, II  
ASSISTANT UNITED STATES ATTORNEY